



PUBLIC NOTICE

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DA No. 21-1087

Report No. SCL-00331

Thursday September 2, 2021

Actions Taken Under Cable Landing License Act

Section 1.767(a) Cable Landing Licenses, Modifications, and Assignments or Transfers of Control of Interests in Cable Landing Licenses (47 C.F.R. § 1.767(a))

By the Chief, Telecommunications and Analysis Division, International Bureau:

Pursuant to An Act Relating to the Landing and Operation of Submarine Cables in the United States, 47 U.S.C. §§ 34-39 (Cable Landing License Act), Executive Order No. 10530, Exec. Ord. No. 10530 reprinted as amended in 3 U.S.C. § 301, and section 1.767 of the Commission's rules, 47 C.F.R. § 1.767, the following applications ARE GRANTED. These grants of authority are taken under section 0.261 of the Commission's rules, 47 C.F.R. § 0.261. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this public notice.

These applications have been coordinated with the Department of State and other Executive Branch agencies pursuant to section 1.767(b) of the Commission's rules, 47 C.F.R. § 1.767(b), and consistent with procedures established with the Department of State. See Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, Report and Order, 16 FCC Rcd 22167, 22192-93, paras. 51-52 (2001) (Submarine Cable Landing License Report and Order); Streamlined Procedures for Executive Branch Review of Submarine Cable Landing License Requests, State Department Media Note (Revised) (rel. Dec. 20, 2001) available at <http://2001-2009.state.gov/r/pa/prs/ps/2001/6951.htm>.

This public notice serves as each cable landing licensee's Cable Landing License, or modification thereto, pursuant to the Cable Landing License Act and sections 1.767 and 1.768 of the Commission's rules. Cable landing licensees should review carefully the terms and conditions of their licenses. Failure to comply with these terms and conditions or relevant Commission rules and policies could result in fines or forfeitures.

Modification

Grant of Authority

Date of Action: 08/30/2021

Application for authority to modify the cable landing license for the Columbus II Cable System (Columbus II), SCL-LIC-20190326-00010, to remove Telefonica Larga Distancia de Puerto Rico, Inc. (TLDI) as a licensee pursuant to section 1.767(m)(2) of the Commission's rules, 47 CFR § 1.767(m)(2). The Columbus II system connects Florida to the United States Virgin Islands.

TLDI states that it served copies of this modification application on the other licensees of the Columbus II, AT&T Corp. and Servicio di Telecomunicacion di Aruba (SETAR) N.V., as required by 47 C.F.R. § 1.767(m)(2). The application was placed on Public Notice on July 16, 2021. See Streamlined Submarine Cable Landing License Applications Accepted for Filing, File No. SCL-MOD-20210702-00030, Public Notice, Report No. SCL-00321S (IB, rel. Jul. 16, 2021). No comments or oppositions were filed in response to the Public Notice.

TLDI states that on August 8, 2020, it withdrew its participation in the Columbus II Construction and Maintenance Agreement pursuant to an agreement with the remaining participants. TLDI states that its voting and ownership interest of 6.52626% in Columbus II was reallocated to other consortium members. As a result, TLDI states that it no longer has any interests in Columbus II and therefore is not required to be a licensee under section 1.767(h)(2) of the Commission's rules, 47 CFR § 1.767(h)(2). TLDI further states that the remaining licensees, AT&T Corp. (approx. 76.4% voting and ownership interest) and SETAR (approx. 11.9% voting and ownership interest) will continue to exercise de jure and de facto control of the U.S. portion of Columbus II.

AT&T Corp. will continue to be required to abide by the commitments and undertakings regarding the Columbus II Cable System contained in the June 22, 2020, Letter of Assurances from Juan G. Flores, Senior Vice President, Core Network Operations, AT&T Corp. to the Assistant Secretary for Trade and Economic Security, Office of Strategy, Policy and Plans, Department of Homeland Security (2020 LOA). See Actions Taken Under Cable Landing License Act, File No. SCL-LIC-20190326-00010, Public Notice Report No. SCL-00272, 35 FCC Rcd 6761 (IB 2020). A copy of the 2020 LOA is publicly available and may be viewed on the FCC website through the International Bureau Filing System (IBFS) by searching for SCL-MOD-20210702-00030 or SCL-LIC-20190326-00010 and accessing "Other filings related to this application" from the Document Viewing area.